

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

Name: Prasad Kevin B
 (Last) (First) (Middle)

Prisoner Number: 1222492

Institutional Address: 1300 Maple St.
Redwood City, CA 94063

FILED

May 06 2022

Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Kevin B Prasad
 (Enter your full name.)

vs.

County of San Mateo, Carlos G
Bolanos, Mark C. Robbins, John W.
Munsey, Alma Zamora, Kristina Bell,
 (Enter the full name(s) of the defendant(s) in this action.)

Case No. 4:22-cv-02720-JST
 (Leave blank; to be provided by Clerk of Court)

COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 42 U.S.C. § 1983

John Kovach, Richard Cheecher, Does 1

I. Exhaustion of Administrative Remedies.

Note: You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.

A. Place of present confinement Maple Street Correctional Facility

B. Is there a grievance procedure in this institution? YES ☒ NO ☐

C. If so, did you present the facts in your complaint for review through the grievance procedure? YES ☒ NO ☐

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: No appeal number provided. 11 Oct

2021. Response was that they were not feeding
Me any Pack products.

2. First formal level: No appeal number provided. 19 Oct 2021
Lieutenant reviewed and asked the kitchen manager
and kitchen manager stated that they were not providing me
with pock.

3. Second formal level: _____

4. Third formal level: _____

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ☒ NO ☐

F. If you did not present your claim for review through the grievance procedure, explain why.

II. Parties.

A. Write your name and present address. Do the same for additional plaintiffs, if any.

Kevin B Prasad #1222492

1300 Maple St

Redwood City, CA 94063

B. For each defendant, provide full name, official position and place of employment.

County of San Mateo, Carlos G. Bolanos Sheriff, Mark G. Robbins

Under Sheriff, John W. Munsey Assistant Sheriff, Alma Zamora

Captain Facility Commander ~~Mark~~ McGuire Correctional Facility,

Kristina Bell Captain Facility Commander Maple Street Correctional

Center John Kovach Administrative Lieutenant, Richard

Chelchov Administrative Lieutenant, Does 1 Kitchen Manager

400 County Center Redwood City, CA 94063

III. Statement of Claim.

State briefly the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

On 26 April 2018 Plaintiff was confined in McGuire Correctional Facility (MCF). Upon being provided with food Plaintiff inquired as to the ingredients of the food. The Housing Unit Deputy explained that he did not know and that he needed to talk to Service League to be put into a religious diet. Sometime around June 2018 Plaintiff was moved to Maple Street Correctional Center (MSCC). Defendants Menu (Exhibit A) Every Meat was replaced with a vegetarian patty of some kind. A former inmate kitchen worker told Plaintiff that the white gravy had beef. Just to be sure Plaintiff sent a medical request to ask for an ingredients list (Exhibit B).

(Continued on back)

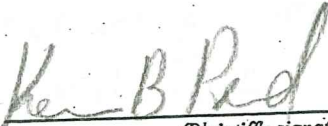
IV. Relief.

Your complaint must include a request for specific relief. State briefly exactly what you want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

Plaintiff respectfully request a preliminary injunction relief order stating that Plaintiff has the right to see the dietitian and ingredients label upon request, Appointment of Counsel 28 U.S.C. § 1915(e)(1), Compensatory damages in the amount of \$4000 per occurrence upon Defendants, Punitive Damages in the amount of \$4000 per occurrence upon Defendants, Jury trial on all issues triable, and any other assessment this court may deem proper.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signed this 7 day of February, 2022



(Plaintiff's signature)

Please continue to the next page.

1 Medical staff responded back by giving Plaintiff
 2 The nutrition Label and ingredients label (Exhibit C).
 3 In the ingredients label, it says "Made with real
 4 buttermilk, butter and pork sausage flavors,..." and
 5 in the ingredients list "..., Natural Flavors [...]"
 6

7 Plaintiff then sent another medical request form
 8 asking for the ingredients list (Exhibit D). Medical
 9 returned the form stating that they will not give
 10 Plaintiff Nutrition and ingredients label for all the food
 11 served to Plaintiff. Plaintiff then sent in a ~~anti~~ Religious
 12 Diet Request form (Exhibit E) and Defendants responded
 13 accordingly.
 14

15 Sometime January 2021, Defendants changed the
 16 food menu (Exhibit F). When Plaintiff knew that Defendants
 17 were refusing to acknowledge the issue, Plaintiff filed
 18 a Grievance in accordance with Defendants Grievance Policy
 19 (Exhibit G). Unsatisfied with the Defendants response,
 20 Plaintiff filed a Second level grievance in accordance with
 21 Defendants policy (Exhibit H). Upon finding out that
 22 Pork Sausage had been and has continued to be served
 23 to Plaintiff, Plaintiff had to start denying the food
 24 containing the white Gravy.

25 A year later, with the issue still unresolved, Plaintiff
 26 filed another Grievance (Exhibit I). Again, unsatisfied
 27 with the response, Plaintiff filed another second level
 28 Grievance (Exhibit J). Defendant, Lieutenant Cheechov,
 responded (Exhibit K), stating that Pork was not being

1 Served to Plaintiff based on a conversation with
 2 Defendant, Does-1.

3 Plaintiff then notified Defendant, County of San
 4 Mateo. Defendant, County of San Mateo, responded
 5 that the time requirements were not satisfied (Exhibit
 6 L). In Exhibit M, it shows an example which shows
 7 clearly that "Beef fat" is in the product. In Exhibit N
 8 it shows an example which shows clearly that "Lobster
 9 and Shrimp flavors" is in the product.

10 Exhibit O, P, Q, R all contains red marks.
 11 Each mark represents an instance where Defendants
 12 Served Plaintiff the White Gravy.

13 Defendant, County of San Mateo, then responded to
 14 Plaintiff (Exhibit S) stating that it was rejected.

15 Defendant, County of San Mateo, then responded to
 16 Plaintiff (Exhibit T) stating that the claim was fully
 17 rejected.

18 Plaintiff is a life long follower of Hinduism.
 19 While there are many different versions of Hinduism,
 20 the Sect Plaintiff belongs to states that the followers
 21 cannot consume Beef, and Pork. Defendants have
 22 been serving and continue to serve Plaintiff with
 23 food containing Pork. Defendants continue to refuse to
 24 give Plaintiff a Nutrition and ingredients Label so that
 25 Plaintiff can ensure he is not consuming Pork. Also
 26 Plaintiff's digestive system becomes disturbed due to
 27 Defendants serving Plaintiff Pork.

Exhibit A

Breakfast			Lunch			Dinner		
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON
Omelets 2 hard boiled eggs	Raisin Bran 4 hard boiled egg fruit	2 Pancakes 2 Sausage links	Oatmeal with 2 Sausage links	Flat Square yellow Eggs	Fajana 2 Sausage links	Grits Potatoes	Chicken Patty Mash Potatoes Gravy	White Lentils
Mystery Meat	Peanut Butter/ Jelly	Mystery Meat	Peanut Butter/ Jelly	Mystery Meat	Peanut Butter Jelly	Mystery Meat	Chicken Gravy	Pasta Meatballs Gravy
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON
2 hard boiled eggs	Cinnamon Toast 2 hard boiled eggs	French Toast 2 Sausage links	Oatmeal 2 Sausage links	Biscuit Gravy Sausage Soup	Fajana 2 Sausage link	Grits Potatoes	Turkey with Gravy Rice	Brown Lentils
Peanut Butter Jelly	Mystery Meat	Peanut Butter Jelly	Mystery Meat	Peanut Butter/ Jelly	Mystery Meat	Peanut Butter Jelly	Turkey with Gravy Rice	Brown Lentils
Turkey with Gravy Rice	Brown Lentils	Hot Dog Rice Beans	Chicken Strips Mash Potatoes Gravy	Hot Dog Chili Beans	Sweet and Sour Chicken Rice	Pasta Red Sauce Meatballs	Turkey with Gravy Rice	Brown Lentils

MAY 30 2020

Received and RN Triaged on: _____

(date)

Exhibit B

HEALTH SERVICES REQUEST FORM

SOLICITUD PARA SERVICIOS DE SALUD

Name of Triage RN: Placed on MD/NP S/C: _____ (date)
 Scheduled for RN S/C on: _____ (date) Placed on FMH List on: _____ (date)
 Patient seen today: _____ (date) (enter dates or write N/A)

Please do not write above this line.

Por favor no escriba arriba de esta línea.

DATE: 29 May 2020 ID# 1222492 DOB: 29 Oct 1986
 FECHA: _____ NÚMERO DE IDENTIFICACIÓN FECHA DE NACIMIENTO
 NAME: Prasad Floor/Cell 1U7
 Nombre LAST/APELLIDO FIRST/PRIMER NOMBRE Piso/Celda

I request health care services because:

Yo solicito servicios de salud por la siguiente razón:

I need the dietitian to please go to the kitchen and give me the label from the gravy. They ~~say~~ serve here. I would like to see the ingredients. Not for dietary reasons, but religious. I asked kitchen deputy they said ask dietitian.

I allow the medical staff at the San Mateo County Jails to give me medical exams and/or necessary treatment/s while I am in jail.
 Yo autorizo al médico o persona designada responsable en las cárceles de el condado de San Mateo para administrar exámenes médicos y los tratamientos necesarios mientras estoy encarcelado/a.

Please sign here (Firme aquí):

Mr. Prasad
PRASAD

Mr. Prasad
I pulled this from their electronic file -

Please indicate with an 'X' next to forms you would like to receive. Place the form in the medical request box when completed.

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Acne | <input type="checkbox"/> Cold Sore | <input type="checkbox"/> Heartburn | <input type="checkbox"/> Neck Exercises |
| <input type="checkbox"/> Anxiety | <input type="checkbox"/> Colds | <input type="checkbox"/> HIV | <input type="checkbox"/> Poison Oak/Ivy |
| <input type="checkbox"/> Arthritis | <input type="checkbox"/> Constipation | <input type="checkbox"/> Herpes | <input type="checkbox"/> Psoriasis |
| <input type="checkbox"/> Asthma/How to use an Inhaler | <input type="checkbox"/> Diet Education | <input type="checkbox"/> Hemorrhoids | <input type="checkbox"/> Quitting Smoking |
| <input type="checkbox"/> Athlete's foot | <input type="checkbox"/> Earwax | <input type="checkbox"/> Hepatitis A | <input type="checkbox"/> Scabies, Lice, Crabs |
| <input type="checkbox"/> Back Pain | <input type="checkbox"/> Eczema | <input type="checkbox"/> Hepatitis B | <input type="checkbox"/> Sinus Problems |
| <input type="checkbox"/> Back Exercises/Stretching | <input type="checkbox"/> Eyeglass Reading Chart | <input type="checkbox"/> Hepatitis C | <input type="checkbox"/> Skin Care & Aging |
| <input type="checkbox"/> Boils | <input type="checkbox"/> Fluid Intake | <input type="checkbox"/> High Blood Pressure | <input type="checkbox"/> Syphilis |
| <input type="checkbox"/> Breast Self-Exam | <input type="checkbox"/> Gas Prevention Tip | <input type="checkbox"/> How to Develop Good Habits | <input type="checkbox"/> Strains & Sprains |
| <input type="checkbox"/> Breathing Exercises | <input type="checkbox"/> Gonorrhea | <input type="checkbox"/> Kidney Stones | <input type="checkbox"/> Stress |
| <input type="checkbox"/> Chlamydia | <input type="checkbox"/> Gout | <input type="checkbox"/> Lower Back Pain | <input type="checkbox"/> Styte |
| <input type="checkbox"/> Chronic Obstructive Pulmonary Disease | <input type="checkbox"/> Health Insurance | <input type="checkbox"/> Managing pain without drugs | <input type="checkbox"/> Testicular Self-Exam |

Response to patient that does not warrant direct contact: RDNurse Signature or printed name (No Initials)
☐ Literature only given on: 5/31/2020 (date)

Nutrition Analysis

Calories	30 kcal	Total Fat	1 g	Sodium	220 mg
Protein	0	Trans Fats	0 g	Calcium	1 mg
Total Carbohydrates...	5 g	Saturated Fat	1 g	Iron	0 mg
Sugars	0 g	Polyunsaturated Fat		Potassium	30 mg
Dietary Fiber	0 g	Monounsaturated Fat		Zinc	
Lactose		Cholesterol	0 mg	Phosphorus	
Sucrose					
Vitamin A(IU)-	0	Vitamin D	0 mg	Thiamin	
Vitamin A(RE)		Vitamin E		Niacin	
Vitamin C	1 mg	Folate		Riboflavin	
Magnesium		Vitamin B-6		Vitamin B-12	
Monosodium		Sulphites		Nitrates	

This was one sheet, but had to edit.

TM1

435001 - MIX GRAVY COUNTRY PAN ROAST INSTANT

Made with real buttermilk, butter and pork sausage flavors, cream-colored Custom Culinary® PanRoast® Country Gravy appeals to the palate and the eye. This hearty variety is an ideal companion to biscuits, pork chops, chicken fried steak and other classic favorites. The smooth and creamy texture of this traditional pan-style milk gravy is also great for creating your own signature dishes.



Exhibit C

Exhibit C
(continued)



* Benefits

Ingredients

Enriched Wheat Flour (Wheat Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Food Starch - Modified, Corn Syrup Solids, Coconut Oil, Salt, Sugar, Canola Oil, Hydrolyzed Corn Protein, Contains 2% Or Less Of The Following: Sodium Caseinate, Spice, Mono & Diglycerides, Titanium Dioxide (Color), Maltodextrin, Disodium Inosinate, Disodium Guanylate, Natural Flavors With Annatto And Turmeric (For Color), Milk, Silicon Dioxide (As An Anti-Caking Agent).

A Allergens

Contains:

dairy wheat

Free From:

gluten eggs fish peanuts
 sesame soy tree nuts

Nutrition Facts

Serving Size: 8 Gram

Number of Servings per 432

Amount Per Serving

Calories: 30 Calories from Fat: 10

% Daily Value*

Total Fat 1 g 1%

Saturated Fat 1 g 4%

Trans Fat 0 g

Cholesterol 0 mg 0%

Sodium 220 mg 10%

Total Carbohydrate 5 g 2%

Dietary Fiber 0 g 0%

Sugars 0 g %

Protein 0 g 0%

Vitamin A 0% Vitamin C 0%

Calcium 0% Iron 0%

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie

Calories 2,000

Total Fat 2,500

Sat. Fat Less than

Cholesterol Less than

Sodium Less than

Total Carbohydrate

Dietary Fiber

Calories per gram

Carbohydrate

Protein

CORRECTIONAL HEALTH SERVICES

JUL 14 2020

Received and RN Triaged on: _____

(date)

Exhibit D

HEALTH SERVICES REQUEST FORM

SOLICITUD PARA SERVICIOS DE SALUD

Name of Triage RN: ✓
 Scheduled for RN S/C on: 7/16/2020 (date)
 Patient seen today: N/A (date)

Placed on MD/NP S/C: N/A (date)
 Placed on FMH List on: N/A (date)
 (enter dates or write N/A)

Please do not write above this line.

Por favor no escriba arriba de esta línea.

DATE: 14 Jul 2020 ID# 1222492 DOB: 29 Oct 1986
 FECHA: _____ NÚMERO DE IDENTIFICACIÓN: _____ FECHA DE NACIMIENTO: _____
 NAME: Prasad Floor/Cell: 2V5
 Nombre: _____ LAST/APELLIDO: _____ FIRST/PRIMER NOMBRE: _____ Piso/Celda: _____

I request health care services because: To Dietician, Yo solicito servicios de salud por la siguiente razón:

Thank you for the information. Can you please give me the same
ingredients that are: French Toast, Biscuits, Pancakes, Fruit,
Baked Beans, Chili Beans, Ham, and so on. I am not a pressure
food eater. I would like the label: I eat the info they give you

I allow the medical staff at the San Mateo County Jails to give me medical exams and/or necessary treatment/s while I am in jail.
 Yo autorizo al médico o persona designada responsable en las cárceles de el condado de San Mateo para administrar exámenes médicos y los tratamientos necesarios mientras estoy encarcelado/a.

Please sign here (Firme aquí):

K B PrasadMr. Prasad -You are not on any special

Please indicate with an 'X' next to forms you would like to receive. Place the form in the medical request box when completed.

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Acne | <input type="checkbox"/> Cold Sore | <input type="checkbox"/> Heartburn | <input type="checkbox"/> Neck Exercises |
| <input type="checkbox"/> Anxiety | <input type="checkbox"/> Colds | <input type="checkbox"/> HIV | <input type="checkbox"/> Poison Oak/Ivy |
| <input type="checkbox"/> Arthritis | <input type="checkbox"/> Constipation | <input type="checkbox"/> Herpes | <input type="checkbox"/> Psoriasis |
| <input type="checkbox"/> Asthma/How to use an Inhaler | <input type="checkbox"/> Diet Education | <input type="checkbox"/> Hemorrhoids | <input type="checkbox"/> Quitting Smoking |
| <input type="checkbox"/> Athlete's foot | <input type="checkbox"/> Earwax | <input type="checkbox"/> Hepatitis A | <input type="checkbox"/> Scabies, Lice, Crabs |
| <input type="checkbox"/> Back Pain | <input type="checkbox"/> Eczema | <input type="checkbox"/> Hepatitis B | <input type="checkbox"/> Sinus Problems |
| <input type="checkbox"/> Back Exercises/Stretching | <input type="checkbox"/> Eyeglass Reading Chart | <input type="checkbox"/> Hepatitis C | <input type="checkbox"/> Skin Care & Aging |
| <input type="checkbox"/> Boils | <input type="checkbox"/> Fluid Intake | <input type="checkbox"/> High Blood Pressure | <input type="checkbox"/> Syphilis |
| <input type="checkbox"/> Breast Self-Exam | <input type="checkbox"/> Gas Prevention Tip | <input type="checkbox"/> How to Develop Good Habits | <input type="checkbox"/> Strains & Sprains |
| <input type="checkbox"/> Breathing Exercises | <input type="checkbox"/> Gonorrhea | <input type="checkbox"/> Kidney Stones | <input type="checkbox"/> Stress |
| <input type="checkbox"/> Chlamydia | <input type="checkbox"/> Gout | <input type="checkbox"/> Lower Back Pain | <input type="checkbox"/> Sty |
| <input type="checkbox"/> Chronic Obstructive Pulmonary Disease | <input type="checkbox"/> Health Insurance | <input type="checkbox"/> Managing pain without drugs | <input type="checkbox"/> Testicular Self-Exam |

Response to patient that does not warrant direct contact:

7/16/20: Ref. to Dietician
pick - what are you looking for because - no, I am not going to give you all the labels you request.

Nurse Signature or printed name

AMAR

(No Initials)

☐ Literature only given on: _____ (date)

DCRO
7-20-20

Exhibit E

RELIGIOUS DIET REQUEST FORM

SAN MATEO COUNTY SHERIFF'S FACILITIES

A standard Religious Diet is available for inmates who have sincerely held religious beliefs that call for dietary modifications. The Religious Diet does not include: BEEF, PORK or SHELLFISH. This diet includes beans/legumes, milk, and milk products. Chicken or poultry products are included on this diet. Starches, vegetables, desserts, are typically the same as for the regular diet.

DIRECTIONS:

Inmates who would like to request the Religious Diet must **completely fill out, sign and date this form**. Once your request has been reviewed, Religious Diet meals will be provided to you for pick up on the pod/unit.

I, (First name) Kevin (Last Name) Prasad (ID #) 1222492
(Housing) 2V7 have sincerely held religious beliefs in the following:

☐ MUSLIM

☒ HINDU - I can't eat gravy also

☐ JEWISH

☐ SEVENTH DAY ADVENTIST

☐ OTHER: _____

Mr. Prasad,
You are already on
vegetarian diet. No preferences.

Use "OTHER" for religions not included above, or for religious holidays or observances such as Ramadan. Ramadan observers get breakfast and a late dinner, and will be offered their bag lunch.

☐ Check here if you are now getting a Religious Diet and want to stop this diet. DKO
Inmates who discontinue his/her Religious Diet and who desire to restart the Religious Diet during the same incarceration period will be assessed on a case-by-case basis. 83120

READ THE FOLLOWING:

I understand that I may not choose a Regular Diet meal in place of my Religious Diet meal, and that doctor prescribed medical diets in conflict with my Religious Diet will be assessed on a case-by-case basis. I understand that **unreasonable diet requests** written in under "OTHER" may be delayed or denied. I further understand that if I choose to stop my Religious Diet, I must submit a written request to stop the diet.

I have read and understand the terms of this form: Kevin Prasad

INMATE SIGNATURE

28 Aug 2020
DATE

If you need help with this form, you may request assistance from the Supervising Chaplain.

Please allow reasonable time for the facility to process your Religious Diet request and to start receiving your Religious Diet.

➡ Send completed form to the Medical Unit.

Revised 10/01, 3/03, 10/03

Medical Staff Only:

Received at Medical Unit on: (Date) _____ (Initials) _____

- 1) Please confirm that the form is complete with inmate, name, ID number, and signature.
- 2) For complete forms: make a photocopy, file the original in the inmate's chart, send the copy to Food Services. This will act as a diet order.
- 3) Log the Religious Diet on the daily diet sheet.
- 4) Notify the Dietitian, via the desk calendar, of name/ID of ALL inmates requesting Religious Diets.
- 5) For incomplete/questionable forms, DO NOT log on diet sheet, instead place original in chart for the Dietitian to review.

Fruit
Hard boiled
page

		Dinner			
		Week 1	Week 2	Week 3	Week 4
Breakfast					
Cereal Fruit Hardboiled egg		Pasta Red Sauce meatballs	Pasta Red Sauce meatballs	Chicken Strips Bean	Chicken Patty Salsa
Oatmeal 2 Egg Patty Fruit		Black Beans Rice	White Lentils Rice	Burritos Rice Salsa	Refried Beans Chicken Salsa
Cereal Fruit Hardboiled egg		Bean Burrito Rice	Bean Burrito Potatoes	Meat Balls Lentils	Bean Burrito Rice
1) 2 egg patty Potatoes Fruit		Chicken Strips Rice	Teriyaki Chicken Rice	Chicken Strip BBQ	Hotdog Chili Beans
2) 2 Pancakes Sausage Potatoes Fruit		Pasta Red Sauce meatballs	Chicken Strips Lentils	Pasta Mushroom Sauce meatballs	Pasta Mushroom Sauce meatballs
Cereal Hardboiled egg Fruit		Peanut Butter Jelly	Mystery Meat		
Biscuit Gravy Sausage Potatoes		Peanut Butter Jelly	Pasta Mushroom Sauce meatballs	Teriyaki Chicken Rice	Chicken Strips BBQ
Cereal Fruit Hardboiled egg		Peanut Butter Jelly	Pasta Mushroom Sauce meatballs	Pasta Red Sauce meatballs	Chicken Rice Salsa Verde

Gold: *To Inmate*

Exhibit H

RECEIVED

AUG 25 2020

MSCC 20-GA-005

To : Watch Commander or Higher Jail Administration

From : Kevin Prasad #1222492

Date : 3 Aug 2020

Subject : 2nd level grievance filed 15 Jul 2020 and responded to on 23 Jul 2020

In my grievance filed 15 Jul 2020, I inform Jail Administration of how San Mateo County Sheriffs Department (SMCSD) has seriously violated my 1st Amendment ~~and~~ Rights. After further research, I found that SMCSD also violated my 8th Amendment Rights. I explain on the grievance that I have been in custody continuously since 26 Apr 2018, and how I voiced my concern about the food being served to me. It was explained to me that I must speak with Mike Murray of the Service League. After a conversation, he notified the Jail Administration of my religious dietary restrictions. SMCSD responded by putting me on the "Lacto-Ovo Diet".

In June 2020, a former inmate kitchen worker informed me that the gravy served to me was not in accordance with (IAW) my religious dietary restrictions. I asked the kitchen deputy if she could provide me with the food labels so I could verify if the food ~~served~~ served to me was in fact IAW with my religious beliefs. I asked Deputy Carline for assistance. The kitchen deputy refused to

2

Exhibit H
(Continued)

gave me the food labels. I then asked the dietician for the label on the gravy. The dietician provided me with the food label where I read that the gravy served to me was in fact not IAW my religious beliefs.

In response, I asked the dietician if they could provide me with food labels of the other food stuffs served to me. The dietician refused to provide me with the food labels and even stated that I was not receiving a diet.

At the same time, I submitted a Service League request to see if they could provide me with the food label. They forwarded my request to Lieutenant (Lt) Kovac of the SMCSD. While he explained to me that I can request to be on the religious diet, he will not provide me with the food labels.

I am a Hindu and have been practicing since birth. My family and I express our religious beliefs through diet. My family and I do not eat any form of pork and do not consume cow, but we do consume milk. Hinduism has been around for 5000+ years. There are different versions of Hinduism with different dietary restrictions. My family and I follow the version of Hinduism where we are not allowed to consume any kind of pork, cow, snake, turtle, and monkey. While we can consume all kind of milk products while I do not have to worry about snake, turtle, and monkey being served to me, I do have to worry about cow and pork. Not being allowed to ensure the food stuffs served to me is IAW my religious beliefs is unconstitutional and violates Federal and State Laws & Statutes.

Exhibit H

3

(continued)

Just because I may be allowed to consume other kinds of meat; I cannot consume food stuffs prepared using cow or pork lard. While I can consume chicken, if the chicken path is fried using cow or pork lard, then I cannot consume it. It is not just that I cannot consume certain food stuffs, if the food stuffs I can consume is prepared using food stuffs I cannot consume, then I cannot consume what I could have consumed. My religious dietary restrictions also extends to food preparations.

The 1st Amendment states "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;..." One of the ways that I exercise my 1st Amendment Right is by my diet. I was informed by both Jail Staff and Mike Murray that the food being served to me would be IAW my religious dietary needs, only to find out over 26 months later that the gravy was not IAW my religious dietary needs. When I received the food label for the gravy it says "Made with real buttermilk, butter, and pork sausage flavors..." You cannot have pork sausage flavors without adding pork sausage. As stated before, my religion prohibits me from consumption of any kind of pork. By being served pork without my knowledge, SMCSD has egregiously violated my 1st Amendment Rights and 8th Amendment rights continuously for the past 26 months.

Violating my 1st Amendment Rights also constitutes an 8th Amendment violation. Being incarcerated is a punishment. Not being able to ensure the food being served to me is IAW

Exhibit A

(continued)

4

my religious dietary needs, and feeding me pork is cruel and unusual.

Any medical professional knows that introducing a different kind of meat to someone who does not eat that type of meat can do harm to that individual. The County Dietician should know this. SMCSO therefore knew of a substantial risk of serious harm to me.

Even after I notified SMCSO that some of the food that is being served to me is not IAW my religious diet, SMCSO has continued to serve me said food. This forces me to refuse the food. SMCSO has failed to respond reasonably to this error. SMCSO further failed to respond reasonably by not allowing me to ensure the food being served to me is IAW my religious dietary needs.

Violating an inmates 8th Amendment Rights means that Jail Administration has automatically violated PC 147 by committing "willful inhumanity" against the inmate. Willful is defined "Voluntary and intentional, but not necessarily malicious" Bryan A. Garner, Black's Law Dictionary Fourth Pocket Edition ¶ 830 (1996). Inhumanity is defined "the quality or state of being cruel or barbarous." James G. Lowe, The Merriam-Webster Dictionary 372 (2016).

When I communicated to Lt Kovac, he ~~was unprofessional~~ unprofessionally and quite ~~was~~ adamant that SMCSO will not provide me with food labels so that I may be allowed to verify the ingredients of the food stuffs served to me. As Lt Kovac is a Law Enforcement Officer (LEO) and a representative of SMCSO, I find it quite

Exhibit H
(continued)

5

hypocritical that SMCSO would violate the law. When a patron goes to any restaurant, they can ask for a nutrition label and all the ingredients are on the label. Lt Kovac & SMCSO is violating Federal and State food label laws including: The FD & C Act, CA menu label law of 2011, H&S code 114094, Nutrition Labeling & Education Act of 1990, 21 USC §§ 301, 343, 343-1, and Title ~~XV~~ § 1072. As The United States of America is a country of laws, I find it quite odd that Lt Kovac & SMCSO does not want to abide by the laws & statutes passed by The President of the United States, Congress, The Governor of the State of California, and the State Legislators.

I ask the dietician for the same information. After receiving the nutrition label for the gravy, the dietician refused to provide me with nutrition labels for all of the other food items served to me. The dietician then proceeded to inform me that I was not on any diet. I have been on the "Lacto-Ovo diet" since my first week of incarceration. What is the dietician's true purpose if not to know which inmate is on what diet and to provide nutrition information to inmates upon request? Why are they being paid not to do their job?

While I recognize that SMCSO will provide me with a religious diet, I reserve the right to ensure that the food stuff prepared and served to me is in accordance with my religious dietary needs. I cannot ensure the food is within my dietary needs unless I can both read ~~and~~ the ingredients to the food that is served to me & I can verify that the

6

Exhibit H
(continued)

food is prepared IAW my religious dietary needs. I can no longer trust the words of the SMCSD on this matter. Since SMCSD has knowingly served me pork for 26 months violating my 1st and 8th Amendment rights.

I am humbly asking for the food and nutrition labels to all of the food stuffs served to me. I also ask that Lt Kovac be removed from SMCSD for PC 147 violation, lack of professionalism, and lack of discharge of duty since he is a LEO not enforcing the law. I also ask that the dietitian also be removed from duty due to lack of discharge of duty since they broke the law and does not seem to do their job as prescribed in Title ~~VI~~.

Kevin Prasad #1222492

Kevin Prasad

1

Exhibit J

To: Facility Commander

From: Kevin Prasad #1222492

Date: 19 Oct 2021

Subject: 2nd level appeal to Grievance filed 11 Oct 2021

In the grievance I state that the white gravy (while it is called "Mix Gravy Country Pan Roast Instant" ~~at~~ I will continue calling it "white gravy" for simplicity sake) on Fridays Breakfast and this Saturday (30 Oct 2021) dinner (same dinner every four weeks after) is in violation of my religious beliefs. (Saturdays dinner being Chicken patty white gravy).

I have ~~be~~ remained incarcerated continuously for three and a half years. I remember the old two week rotating menu which included white gravy. When I was, luckily, able to receive the nutrition facts and ingredients label and read that it contained "Pork Sausage flavors" and that in the ingredients list said "natural flavors..." it was then that I had notified SMCSO of this issue in August 2020. A Sergeant (I do not know his name) then confirmed my information in November 2020.

With the new menu, I know that the same white gravy is being used in those meals since both meals were also in the old menu and looked the same. So obviously the same ingredients are being used.

In the response, the author (I ~~do~~ cannot read ~~the~~ the name

2

Exhibit J
(continued)

on the signature) states that I have received misinformation. I ~~will~~ disagree with the author as the information I received ~~was~~ came from the dietitian and confirmed by an SMCSD deputy sergeant. While there are many different kinds of gravy employed by the kitchen, it is hard to tell if ~~the~~ Author is correct. That is why there is the FD&C Act which states that a nutrition label and ingredients label will be on all food items, available upon request, and must be true. This is why Author is either misinformed or does not know. If in fact I am misinformed, then I request nutrition and ingredients label to all the food served to me as it is well within my Fourteenth Amendment Equal Protection rights, so that I may be allowed to clear up any misinformation.

Simply put, continuing to provide me with ~~the~~ the white gravy on my food is a violation of my First Amendment Freedom of Religious Exercise Rights, Fourteenth Amendment Due Process Rights, ~~and~~ Equal Protection Rights, ~~and~~ Title XV § 1240, ~~Texas~~ § 1241, and ~~English~~ Eighth Amendment Cruel and unusual punishment Rights.

My diet is an expression of my religious beliefs. By making me eat pork and then denying that there is pork violates my First Amendment Rights to Freedom of Religious Expression.

Since I do not eat pork, my ~~body's~~ digestive system ~~was~~ does not know what to do and painfully expels the food. This is a violation of my Eighth Amendment ~~Right~~ Right to be free from Cruel and Unusual Punishment and Fourteenth Amendment Right to Due Process.

By not being able to ~~see~~ ^{review} the necessary nutrition label and ingredients label, ~~and~~ also this violates the FD&C Act any state law and my Fourteenth Amendment Equal Protection Rights.

3

Exhibit J
(continued)

By me having to refuse those meals, I am forced to deprive myself of a basic human need. I do not receive food in a timely manner nor do I receive the minimum caloric intake requirements set out by Title XV § 1240 and 1241.

I am not asking to be treated specially. Upon information and belief I know that when Tiffany Li was incarcerated she received special treatment because she was an affluent member of San Mateo County Society. I know that I am not an affluent member of San Mateo County Society. All I am asking is for white gravy ~~not~~ to no longer be served to me. If I am indeed misinformed, please inform me by giving me the nutrition label and ingredients label.



SHERIFF'S OFFICE

A TRADITION OF SERVICE SINCE 1856

CARLOS G. BOLANOS, SHERIFF
MARK C. ROBBINS, UNDERSHERIFF

Exhibit K

DATE: November 23, 2021
TO: Kevin Prasad #1222492
FROM: Richard Cheechov, Lieutenant
SUBJECT: Appeal Response

This is in response to your grievance dated 11 October 2021.

Based on my review of your initial grievance and appeal I have reviewed your records, which show that you are on a lacto-ovo vegetarian diet. I contacted the Director of Food and Nutrition Services, who reviewed her documentation and confirmed that her records properly reflect the diet as well as that you have been receiving a lacto-ovo vegetarian diet. She further confirmed that this diet contains no meat products.

Your appeal is denied. Regardless of past conversations, at present you are on a lacto-ovo vegetarian diet, which does not contain any meat products.

Respectfully,

A handwritten signature in blue ink, appearing to be "R. Cheechov", followed by the number "1121" written to the right.

Richard Cheechov, Lieutenant
San Mateo County Sheriff's Office
Corrections Division - Administrative Lieutenant

COUNTY OF SAN MATEO
HUMAN RESOURCES DEPARTMENT

Exhibit L

Rocio Kiryczun
Director

County Government Center
455 County Center, 5th Floor
Redwood City, CA 94063
650-363-4321 T
650-363-4822 F
<http://hr.smcgov.org>
<http://jobs.smcgov.org>

October 27, 2021

Kevin Prasad #1222492
1300 Maple St
Redwood City, CA 94063

RE: Claim against the County of San Mateo
DATE OF LOSS: 4.26.2018 to 4.27.2021

Dear Kevin,

Portions of the claim you submitted on October 18, 2021 to the County of San Mateo fails to satisfy the time requirements relating to the presentation of a Governmental Claim prior to instituting an action against a public entity.

The time requirements are specifically set forth in California Government Code Sections 911.2 and 911.4.

California Government Code Section 911.2 provides that a claim relating to a cause of action for death or for injury to person(s) or to personal property or growing crops, shall be presented to the public entity not later than six (6) months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented not later than one (1) year after the accrual of the cause of action.

California Government Code Section 911.4 provides that when a claim that should have been submitted within six (6) months after the accrual of a cause of action, is not presented within such time, a written Application may be made to the public entity for leave to present a late claim. The Application to the public entity, however, shall be presented within a reasonable time, not to exceed one (1) year after the accrual of the cause of action.

Since portions of your claim was not presented within six (6) months of the accrual date of the cause of action and since you have failed to present an appropriate Application For Late Claim Relief within one (1) year of your accrual of your cause of action, no action will be taken on the claims within these time periods. For the timely portion of your claim, they will be presented to the Board of Supervisors for action and you will be notified of their action.

Portions of your claim, however, may fall within one of the statutory exceptions to the Claim Procedure, as set forth in Government Code Section 905. Further, the six (6) month and one (1) year time guidelines mentioned in



Exhibit L
(continued)

this letter, in some situations, may be tolled or extended. Government Code Section 911.4. This may allow you to apply to the County of San Mateo for leave to present a late claim. See Government Code Sections 911.4, 911.6, 912.2 and 946.6.

YOU MAY SEEK THE ADVICE OF AN ATTORNEY OF YOUR CHOICE IN CONNECTION WITH THE ISSUES RAISED BY THIS LETTER. IF YOU WISH TO PROCEED, IT IS RECOMMENDED THAT YOU SEEK LEGAL ADVICE PROMPTLY. THE FAILURE TO DO SO MAY JEOPARDIZE ANY RIGHTS YOU MAY STILL HAVE.

Sincerely,

Sarah Prince

Sarah Prince
Risk Management Program Coordinator
REF: GL-2018-10377



75342



2018

Observances

January

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February

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- Jan 01 New Year's Day
- Jan 15 Martin Luther King Day
- Feb 12 Lincoln's Birthday
- Feb 14 Valentine's Day
- Feb 14 Ash Wednesday
- Feb 16 Chinese New Year
- Feb 19 President's Day
- Mar 11 Daylight Saving (begin)
- Mar 17 St. Patrick's Day
- Mar 20 Vernal equinox
- Mar 31 Passover
- Apr 01 April Fool's Day
- Apr 01 Easter
- Apr 25 Admin Assistants Day
- May 13 Mother's Day
- May 16 Ramadan begins
- May 20 Pentecost
- May 28 Memorial Day
- Jun 14 Flag Day
- Jun 17 Father's Day
- Jun 21 June Solstice
- Jul 04 Independence Day
- Sep 03 Labor Day
- Sep 10 Rosh Hashanah
- Sep 23 Autumnal equinox
- Oct 08 Columbus Day
- Oct 31 Halloween
- Nov 04 Daylight Saving (end)
- Nov 11 Veterans Day
- Nov 22 Thanksgiving
- Dec 02 Hanukkah begins
- Dec 21 December Solstice
- Dec 25 Christmas Day
- Dec 26 Kwanzaa begins
- Dec 31 New Year's Eve

Exhibit O

2019

Observances

January

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February

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March

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August

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December

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Jan 01	New Year's Day
Jan 21	Martin Luther King Day
Feb 05	Chinese New Year
Feb 12	Lincoln's Birthday
Feb 14	Valentine's Day
Feb 18	President's Day
Mar 06	Ash Wednesday
Mar 10	Daylight Saving (begin)
Mar 17	St. Patrick's Day
Mar 20	Vernal equinox
Apr 01	April Fool's Day
Apr 20	Passover
Apr 21	Easter
Apr 24	Admin Assistants Day
May 06	Ramadan begins
May 12	Mother's Day
May 27	Memorial Day
Jun 09	Pentecost
Jun 14	Flag Day
Jun 16	Father's Day
Jun 21	June Solstice
Jul 04	Independence Day
Sep 02	Labor Day
Sep 23	Autumnal equinox
Sep 30	Rosh Hashanah
Oct 14	Columbus Day
Oct 31	Halloween
Nov 03	Daylight Saving (end)
Nov 11	Veterans Day
Nov 28	Thanksgiving
Dec 22	Hanukkah begins
Dec 22	December Solstice
Dec 25	Christmas Day
Dec 26	Kwanzaa begins
Dec 31	New Year's Eve

Handwritten notes: "xhibit" and "P" with arrows pointing to specific dates in the observances list.

2020

Observances

January

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February

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March

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April

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May

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June

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July

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August

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September

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October

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November

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December

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Jan 01	New Year's Day
Jan 20	Martin Luther King Day
Jan 25	Chinese New Year
Feb 12	Lincoln's Birthday
Feb 14	Valentine's Day
Feb 17	President's Day
Feb 26	Ash Wednesday
Mar 08	Daylight Saving (begin)
Mar 17	St. Patrick's Day
Mar 20	Vernal equinox
Apr 01	April Fool's Day
Apr 09	Passover
Apr 12	Easter
Apr 22	Admin Assistants Day
Apr 24	Ramadan begins
May 10	Mother's Day
May 25	Memorial Day
May 31	Pentecost
Jun 14	Flag Day
Jun 20	June Solstice
Jun 21	Father's Day
Jul 04	Independence Day
Sep 07	Labor Day
Sep 19	Rosh Hashanah
Sep 22	Autumnal equinox
Oct 12	Columbus Day
Oct 31	Halloween
Nov 01	Daylight Saving (end)
Nov 11	Veterans Day
Nov 26	Thanksgiving
Dec 10	Hanukkah begins
Dec 21	December Solstice
Dec 25	Christmas Day
Dec 26	Kwanzaa begins
Dec 31	New Year's Eve

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2021

Holidays & Observances

January

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February

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March

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April

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May

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June

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July

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September

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November

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December

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Exhibit R

COUNTY OF SAN MATEO
HUMAN RESOURCES DEPARTMENT

Exhibit S

Rocio Kiryczun
Director

County Government Center
455 County Center, 5th Floor
Redwood City, CA 94063
650-363-4321 T
650-363-4822 F
<http://hr.smcgov.org>
<http://jobs.smcgov.org>

November 22, 2021

Kevin Prasad #1222492
1300 Maple St
Redwood City, CA 94063

RE: Claim against the County of San Mateo
DATE OF LOSS: 04/26/2018 to 10/20/2021

Dear Kevin,

PLEASE TAKE NOTICE that the claim you presented to the County of San Mateo that were filed untimely were returned to you because it was in part not presented within six (6) months after the events or occurrences as required by law, i.e., some of the alleged causes of action or claims accrued longer than six (6) months prior to the filing of your claim. See Sections 901 and 911.2 of the Government Code. Because the claim in part was not presented within the time allowed by law, no action was taken on the claim as to said parts. You were instructed to apply without delay to the County of San Mateo for leave to present a late claim. See Sections 911.4 to 912.2, inclusive, and Section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See Section 911.6 of the Government Code.



Exhibits
(continued)

NOTICE OF REJECTION

With regard to the remainder of said claim which was which was filed in a timely fashion, notice is hereby given that said portion of the claim which you presented to the County of San Mateo was reviewed by the Board of Supervisors on November 16, 2021 and was rejected.

"WARNING"

With regard to this portion of said claim and subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this portion of said claim. See Government Code, Section 945.6.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Sincerely,

Sarah Prince

Sarah Prince

Risk Management Program Coordinator



COUNTY OF SAN MATEO
COUNTY MANAGER'S OFFICE

Michael P. Callagy
County Manager/
Clerk of the Board

County Government Center
400 County Center, 1st Floor
Redwood City, CA 94063
650-363-4121 T
650-363-1916 F
www.smcgov.org

Exhibit T

November 30, 2021

Kevin Prasad
1300 Maple Street
Redwood City, CA 94063

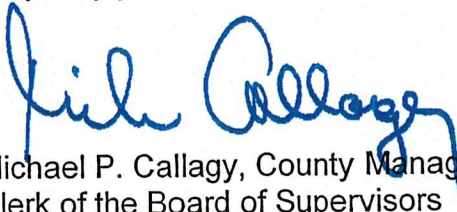
Notice is hereby given that your claim, which was received in the office of the Board of Supervisors on October 26, 2021, was presented to the Board of Supervisors on November 16, 2021, and rejected in its entirety by said Board.

WARNING: Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a state court action on this claim. (See Government Code Section 945.6)

You may seek the advice of an attorney of your choice in connection with this matter. If you do desire to consult an attorney, you should do so immediately.

If you have any questions, please contact San Mateo County Risk Management at (650) 363-4616.

Very truly yours,



Michael P. Callagy, County Manager/
Clerk of the Board of Supervisors

MPC:sp

cc: Rocio Kiryczun, Director, Human Resources Department
Attorney for Claimant (if any):

